

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

WILFRED CARL HUDSON,

Civil No. 16-3017 (JRT/TNL)

Petitioner,

v.

ORDER

STEVE HAMMER,

Respondent.

Wilfred Carl Hudson, Reg. No. 161392, Stillwater Correctional Facility, 970 Pickett Street, Bayport, MN 55003, *pro se* petitioner.

Lori H. Conroy, Assistant Clay County Attorney, **CLAY COUNTY ATTORNEY'S OFFICE**, 807 North 11th Street, Post Office Box 280, Moorhead, MN 56561, for respondent.

Based on the Report and Recommendation by United States Magistrate Judge Tony N. Leung (Docket No. 27), along with all the files and records, and no objections to the Recommendation having been filed, **IT IS HEREBY ORDERED** that:

1. Respondent's Motion to Dismiss Petition under U.S.C. § 2254 for Writ of Habeas Corpus by Person is State Custody (Docket No. 11) is **GRANTED**.
2. Hudson's Motion to Dismiss Petition under U.S.C. § 2254 for Writ of Habeas Corpus by Person is State Custody (Docket No. 21) is **DENIED**.
3. The Petition under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person is State Custody (Docket No. 1) is **DISMISSED WITH PREJUDICE**.
4. Petitioner should **NOT** be granted a Certificate of Appealability.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: August 11, 2017
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
Chief Judge
United States District Court